

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

DOMINICK DUBRAY,

Petitioner,

v.

BRAD HANSEN, Warden of the
Tecumseh State Correctional Institution,

Respondent.

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8:16CV517

MEMORANDUM AND ORDER

The petition for habeas corpus in this case does not substantially comply with the form required by [Rule 2\(d\) of the Rules Governing § 2254 Cases](#). Among other problems, the petition is far too argumentative. It also attempts to incorporate by reference “the entire record.” I will allow Petitioner to file an amended petition. I strongly encourage Petitioner not to “throw mud against the wall” in the hopes that something might stick. Also, it is almost always true that claims having many sub-parts are unpersuasive.

IT IS ORDERED that:

1. The petition for writ of habeas corpus (filing no. [1](#)) is denied without prejudice.

2. Taking the prison mailbox rule into account, on or before January 9, 2017,¹ Petitioner shall file an amended petition using AO Form 241. *Petitioner shall state his claim(s) and supporting fact(s) concisely and without argument or legal citation.* That can normally be done using the form itself *without* attachments.

DATED this 5th day of December, 2016.

BY THE COURT:

s/ *Richard G. Kopf*
Senior United States District Judge

¹This means the amended petition must be *received* by the Clerk no later than Monday, January 9, 2017.